

621 villages of the great-grandfathers' generation survived, even ritually (*vide* Document, pp. 881-5).<sup>1</sup>

166 Men also move from one village to another and they do not always join a village of their exact contemporaries. A stranger may come and be granted land in a village even though he is considerably older or younger than the bulk of its members. Such movement from one village to another is now very considerable: we estimated that at least 80 per cent of the married men have at some time or other moved from the chiefdom in which they first cultivated gardens of their own. There is also movement from village to village within a chiefdom.

[681] Everyone agreed that moving is not something new. In the past a convicted witch was expelled from his village, and sometimes from the chiefdom; thieves and adulterers were also expelled or fled to take refuge with another chief (*vide infra*, pp. 118-9). But it is probable that movement between villages has increased greatly since the imposition of European control. The main reason for moving nowadays is, as we have said, the fear of witchcraft. Subsidiary reasons are the desire to get suitable land for cultivating cash crops, the desire to be near some centre of employment (such as Tukuyu or Rungwe), and the desire to live with others of like mind, as fellow Christians or fellow pagans, fellow Moravians or fellow adherents of the 'Watch Tower' (*vide infra*, pp. 40-3).

166 Women move from one village to another even more often  
591 than men, for, not only do wives move with their husbands, but  
587 a girl commonly marries a man of a village other than that in which she grew up, and is later inherited by a kinsman of her dead husband who lives in yet another village. Since first wives are usually ten years younger than their husbands, and junior wives may be forty or fifty years younger, most women are inherited at least once during their lives, and some are inherited several times. The modern high divorce rate accelerates this long-established circulation of women from village to village.

<sup>1</sup> It is possible that the existence of villages of four generations was due to the fact that Mwaipopo continued to live long after the 'coming out' of his heir Mwankuga—a survival not usual in traditional practice (*vide supra*, p. 30).

MYSTICAL INTERDEPENDENCE

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homicide. 'Was he speared by *day*?' say the Nyakyusa. On the other hand, if relatives themselves brought the accusation, the chief could not take the accused's property. Since kinsmen themselves were driving the man out, whose property should the chief take? Everything went to the kinsmen, save one cow, which they gave the man they were driving out, that he might start a herd in his new home. A wife convicted of witchcraft was commonly divorced, being sent back to her father, who had then to return the marriage-cattle given for her. Rarely was a supposed witch killed. 754  
683

As we have seen, supposed witches are still often banished if men, or divorced if women, but property is no longer seized, the practice having been effectively stopped by the British Administration. There is considerable variation in the actual treatment of supposed witches at the present time. Some husbands do not divorce their wives when they are convicted of witchcraft, others do so immediately; some chiefs drive supposed witches out of their country, and others allow them to settle in another village of the chiefdom. We have no evidence that those who are supposed to have killed others by witchcraft are usually treated more severely than those whose crime is causing sickness or a decrease in the milk supply. The punishment seems to vary, and to have varied formerly, rather with the status and personal popularity of the accused in his village, or with the affection a man has for his wife, than with the nature of the crime. [586]

Those who have been convicted of witchcraft are not ostracized. A wife divorced on account of her witchcraft commonly remarries soon after; a man driven out for witchcraft is admitted to another village. The attitude is: 'Perhaps he bewitched his fellows there, we do not know, but he has not bewitched us.' Often a man who has been driven away by neighbours is fetched back again, a year or more later. Such was the case with the village headman Mwamila, who went to his chief and said: 'People are eating your child'—one of the chief's children had a disease of the eyes which blinded him. 'The chief ordered his people (i.e. their representatives) to take the ordeal. Then all were angry at Mwamila for going to the chief, because he went alone to whisper about them. Had he gone with others they would have been satisfied, but to go alone was not right. The ordeal indicated Mwamila himself, and the chief took all his four 754

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'And again, a long time ago, my brother Mwamoto went to betroth a girl at the place of that man who was a witch. Mwanama objected very much to his younger brother's action, saying: "You should not marry at that man's place, everyone says he is a witch." But Mwamoto paid no attention to any of them—others also tried to persuade him not to marry the child of a witch. He married her and she is with him now, as his wife. 754 582

'People fear witchcraft in a husband or wife lest he or she bring witchcraft into the house, and they have children who become witches when they grow up. As I explained witchcraft runs in a lineage (*ihikolo*). It is especially women who object to their children marrying or being married by a witch, it is they (the women) who forbid the children, and their husbands also object. I remember once that a certain man came to make love to my sister. The mother of this man was spoken of as a witch, and my mother objected very much, saying: "Do not desire this young man's cattle, I do not like him even though you do. His mother's witchcraft is much spoken about." He had come to betroth the girl when she was still very young. The others agreed to what my mother said and refused the young man, saying: "We have not got a child yet (ready for marriage), she of whom you speak must first grow up."

In reply to questions Mwaisumo explained that people fear to marry witches lest their children be witches and be driven from country to country. 'We say it is bad to be driven out. A man is never driven out because of the witchcraft of his wife—he used to divorce her if it were proved—but a girl's parents will refuse to give their daughter in marriage to a young man from a family of witches because if he is convicted of witchcraft she will be driven out with him.' [586]

We were also told of a young Christian who had been refused by a number of women. It was whispered that this was because his father was a sorcerer. Later on, however, he married and the talk died down.

house. Then she goes in and steals a piece of firewood from the loft<sup>1</sup> and runs off with it, laughing. The officiant pursues her and makes her drop it and gives her medicine, while the company cry: 'A thief, a thief!' She takes the firewood back to her husband's home. 'It is a sign that she has entered her father's house, just as the spear is a sign that she has entered the house of another husband.' In rich families the new husband sends a bull which is killed and eaten at the ritual. [556]

Our informants were agreed that 'there is no fear of the gasping cough if a woman runs away from her husband and goes to a lover', and in practice no ritual is performed when she visits her father after divorce and re-marriage, but it is perhaps significant that such a situation could scarcely have arisen in the past, since divorce by agreement rarely, if ever, occurred. An adulterer fled, if he could, with his lover to another chiefdom, breaking off all relations with her kin. [586] [177] [684]

(b) *The overt purpose and symbolism*

Now we turn to the Kukwe interpretation of events. Our two principal informants here were Mwasalemba, an elderly pagan man, brother to the chief Porokoto, whose wife, Syungu, acted as officiant at rituals in the chief's family, and Kakune, a young doctor who had learnt the medicines from his mother. Mwasalemba was much more coherent than Syungu herself, and his interpretation was confirmed by Kakune and numerous other informants. Again I give the interpretation of the two principal informants without any editing other than placing consecutively statements made on different occasions. 115

i. *Mwasalemba's interpretation.* (Recorded by G. W. and translated by him soon afterwards.) 158

**MWASALEMBA:** Perhaps a youth, perhaps a girl, runs mad; he runs about naked so that we say: 'He's mad, why doesn't he cover himself?' He goes to the place of defaecation and takes filth and eats it: he goes into people's houses and takes things, he might even take some things from you, from a European, without fear; he knows not what he does. Sometimes, after a visit to a doctor, he recovers altogether and never has the fit again—that is the lesser kind of madness. But sometimes he recovers and then the fit takes him again later—that is the more serious 158 757

<sup>1</sup> The loft (*pjulu*) consists of horizontal beams running at wall level across a portion of the hut. Here every married woman keeps a supply of dry firewood. It is her private store-place which may not be touched without her permission. [422] [417]

- 841 for her part, fears lest the medicines with which men protect themselves and their cattle may injure her, causing her menstrual flow to 'last a whole month'. She avoids pumpkins lest she suffer from a small growth in the vagina called a 'pumpkin' and bear sickly children. 'It is said that this disease is due to women picking or eating pumpkins when they are menstruating . . . the menstrual blood resembles the pumpkin and they fight together.'
- 841 If a wife fails to warn her husband that she is menstruating and  
●586 permits him to have intercourse with her, he will be furiously angry and may even divorce her saying: 'You are soiling me, get out!'
- 841 Any contact with a menstruating woman is believed to cause  
753 him suffering. 'His legs become swollen and painful and he is very tired.' 'Strength leaves the man.' 'He sits back weakly; he has no speed in running.' Kasitile explained:

The danger of menstrual blood is that it is filthy; it is an illness. Formerly, if a foolhardy man took his wife when she was menstruating, when he went to war, he fell. We others said: 'Why were you vanquished? Did you enter when your wife was unwell? Do you not know that it is a very serious illness?'

Angombwike added:

Formerly, the fear was greater than it is to-day. If a man made love to a menstruating woman they said he would fall ill of *imbela*, an illness for which there was no remedy. His belly ached and his body grew red; he just lay down. His face swelled and his legs ached. Now pagans are not so much afraid of menstruation; they have listened to the Christians.

Asked why sleeping with a menstruating woman should make a man weary, informants linked the danger from menstrual blood with the danger that besets a husband when his wife commits adultery, and the 'blood' of two men mixes in the woman's womb. Menstrual blood is not so dangerous to a husband as the 'blood' of another man, but yet it is 'filthy'. One of Mwakionde's wives said:

My husband gets tired if he sleeps with me when I am menstruating because he has given us our menstrual blood; it is that which has entered into me; there are two bloods, his and mine.

Mwambuputa, a village headman, elaborated further:

- [837] If my wife has committed adultery and cooks my food or draws water for me, then my legs are weary and I also have diarrhoea. If she

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the spear which is to slay her if she disregards it. The 684  
injured husband, too, has the right to inflict death  
upon the paramour. This is no mere tale of the past,  
but a grim fact of to-day. Just a very short time ago,  
two of my workmen asked a day's leave of absence to  
go and bury a relative who had suffered the extreme  
penalty at the hands of an outraged husband. Cases  
of this nature are very numerous, and are necessarily  
treated by British law as murder ; but native law still  
looks upon them as a just reprisal by the husband.

Divorce is granted only for approved reasons. The 586 ●  
husband, when he believes he has ground for divorce,  
requests his go-between to take up the case ; but the  
latter will do so only if he is satisfied that the evidence  
is sufficient to secure a verdict in his client's favour.  
The woman's father fixes a day for the public hearing  
of the case, himself as judge, for there is an appeal to  
the chief only if either party is dissatisfied with the  
decision arrived at. The finding of the court is in all  
cases reported to the chief.

The commonest cause is unfaithfulness of the wife,  
which being proved or admitted, there is no further  
discussion, although the trouble is sometimes patched  
up by the gift of a cow to the husband. If a wife has  
conceived, and does not tell her husband, it is a very  
grave matter indeed, for she is assumed to be trying  
to hide from him what is not his, and an action for  
divorce may follow. Barrenness, if known to be of [842]  
the wife, is a cause of divorce ; but not seldom the  
wife retorts the charge upon her husband, and cases  
are not unknown where, by mutual agreement, both

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- 586 parties brought the dispute to the test of intercourse with others. Again, if daughters die one after another, their death is assumed to be due to the disease called *kitasya* in the mother, and she is divorced. A wife who goes out in the morning while her husband is still abed, is doing a very foolish thing, for there is at least the possibility that she is providing ground for divorce. General laziness and uselessness, inability or refusal to carry out the ordinary household duties, if persisted in, lead to divorce.
- [753]

On the other hand, while ordinary unfaithfulness in the husband gives the wife no ground for an appeal for divorce, no woman will tolerate incest by her husband, but will demand instant release. Beating a wife and starving her will bring down father or brothers in wrath to demand the release of their ward; but beating alone only if merciless and persistent. The right of a husband to beat his wife within reason is not questioned. There are other grounds on which the wife may claim divorce, and also the husband, but in both cases they are such as cannot appear in print.

When a husband's demand for divorce has been granted, all the cattle given to the woman's father are returned, along with the increase which has taken place. British justice, with more fairness, deducts one-fifth or one-quarter of the number of cattle (plus increase) for each child born, the remainder going back to the husband. The children belong to the father, to whom belong also children unborn or too young to leave the mother. When the time comes,

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he takes such children away, leaving a cow as payment 586  
to his late wife for bringing them up. The frantic  
appeals of the mother, when her child is being taken  
away from her, make a most distressing scene. I  
have been implored by mothers, kneeling at my feet,  
or rolling on the ground in agony, to intercede for  
them; but native and British law here coincide, and,  
apart from an appeal to the husband to forego his  
rights, nothing can be done. And any interference is  
inadvisable for the child's own sake, for there is  
reason to suspect that fathers deprived of what they  
consider their rights, take measures quietly to put  
the children to death. In the past the acknowledged [848]  
child of adultery was openly put to death; to-day  
the husband may claim it if it is a girl, for a girl is  
"cattle"; but a boy he, in most cases, entirely  
ignores.

There is formally no limit to the number of wives 595  
a man may have, except the limit of his ability to part  
with cattle. But while polygamy was always lawful,  
it was not always expedient: warriors were often  
monogamous in practice until they reached an age  
when but little fighting was likely to be expected of  
them. And there were always men who never had  
more than one wife, two being a very common  
number for others. While there is a sentiment  
among some women in favour of monogamy, it is a  
very slow growth. There are women who will not  
marry Christians, because the wife of a Christian,  
being alone, has to do all the work, whereas in the  
other case, many wives make light work for each.

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595 There are a few ~~heathen~~ women who do not wish their husbands to take other wives, but many who urge them to do so. Another wife is like a servant in the house, and the position of the principal wife (who is not necessarily the first) is improved when her husband adds to the number of her more or less obedient juniors. Formally they are her sisters; in reality they are her servants, and must always answer her demands with the polite response "ia." The husband also gains in importance as he acquires one wife after another. When the children are grown up, they are dispersed to various villages, and the father is always "feared" in such places, because he has sons or daughters who will see to it that he is properly honoured when he pays them a visit.

553 Husband and wife take new names at marriage;  
585 but they are for private use only, the old names being used by their friends. The new names, which are given in the presence of witnesses, indicate that the old life is past, and that new duties and privileges now bind the couple to each other.

593 The position of the wife is guarded in many ways.

422 Her father and brothers are always ready to take up her quarrel, even to the extent of fighting her husband

• [586] if need be. She owns property, but she retains it only so long as she is a wife: divorce separates her from husband and children, and also from all the household goods of which she is otherwise mistress. The husband hoes the garden, but the produce belongs to the wife; he may not take anything without her consent, even to feed his friends. If one wife

684 greeting, and passed on, without constraint of any kind. It turned out that the man was only slightly wounded ; but most husbands in such circumstances "mak' siccar."

684 If the guilty paramour escapes, he goes to another  
622 chief, who receives and protects him, unless his co-sinner is the wife of a chief, in which case the man is sent back to meet whatever punishment awaits him. The woman, as I have already said, is liable to the extreme penalty also, but I know of no case in which it has been inflicted, and I think it is of very rare occurrence. An alternative punishment was to have her ears cut off. There is a woman living in the neighbourhood who, along with her paramour, suffered this penalty lately, but the chief by whose orders it was done was heavily fined by the administrative officer. Other punishments are still in use, which will not bear the light of print. A wife found guilty is divorced without further question, and the cattle returned to the husband. Divorce is often sought for very trivial reasons, but native courts will not seriously consider ill-supported claims.

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685 *Arson.*—There is a general rule that accidental burning of another man's goods must be compensated for, by replacing all that is lost, whether that be a mere shilling's worth, or a house and all its contents. Arson proper, however, is a much more serious crime, and in the past involved the enslavement of the criminal and all his family. Not a few cases of arson are among the crimes that are common to-day. The church at Karonga was burned down in 1921, probably as an act of revenge against a Christian ; but a common

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584 live with her husband until at least three cows have been given. One of the bulls is only given if the girl is virgin at her initiation rite, and this bull is given to her mother. The laws of inheritance and the system of marriage by cattle payments ensures that cattle will be in the hands of the older men. In general polygynists are men over forty-five.<sup>1</sup>

595 The first wife married is the chief wife, and is entitled to respect and obedience from her co-wives. Her first son is her husband's ultimate heir. A man cannot lightly divorce his first wife during the lifetime of his own father who provided the cattle with which she was married. Divorce is effected by the return of the marriage cattle. Usually the woman has a lover who will pay cows to redeem her; if she refuses to go back to her husband there is no means of compelling her to do so, though in pre-European times her father and the chief might send her back. In such a case the husband would be entitled to his original payments plus their increase.<sup>2</sup> Men do not demand divorce for adultery unless it is persistent.<sup>3</sup> Divorce is often sought for very trivial reasons.<sup>4</sup> If the paternal uncles have helped the groom to collect his marriage cattle, the beasts are redistributed to their original donors after they have been returned to the husband.<sup>5</sup>

587 A man whose wife dies can claim a substitute or the refund of his cattle. When a man dies his widows pass to his heir who takes them all as wives, if he is a brother of the dead man; if the heir is a son he takes all except his own mother and the wives who are her close kin. Inherited wives have the same land rights as others.<sup>6</sup>

## INHERITANCE

428 Brothers inherit before sons, then half-brothers (linked half-brothers before other half-brothers). When all the brothers are dead the property and wives of each pass to each one's eldest son.<sup>7</sup> This rule also applies to the Nyamwanga and Iwa.<sup>8</sup> The heir assumes the full obligations of father to his younger brothers and is responsible for their marriages; they hoe for him and are fed by his wives as are unmarried sons.<sup>9</sup> The sister's son only inherits if all near patrilineal kinsmen are dead or are infants.<sup>10</sup>

The above applies to commoners' inheritance only. For chiefs, succession and inheritance may follow different principles. For instance, in succession to local chiefdoms, two or more sons would divide the chiefdom. Among the Ngonde the Kyungu and the great chiefs were not chosen according to strict genealogical right, but were selected from the appropriate families according to their wealth, generosity, and courage. In the succession to the great chiefdoms, there was formerly a difference of procedure in the two royal lines: that of Ngelenge, where the nobles of Ngonde were sent by the Kyungu to help to select the successor; that of Ngana, the line of the female side, where the nobles of Ngonde merely summoned the great commoners to discuss with them who was to succeed. Nowadays the difference between the two lines has disappeared, and the Ngelenge custom is followed for both. If the genealogical heir

<sup>1</sup> Wilson, 2, 1936, pp. 257-9.

<sup>2</sup> Wilson, 2, 1936, p. 263.

<sup>3</sup> Ibid., p. 65.

<sup>7</sup> Ibid., 2, 1936, pp. 264-6; Sanderson, 3, 1923, p. 453.

<sup>8</sup> Wilson, 3, 1938, pp. 11 and 28; Johnston, 1897, p. 471.

<sup>2</sup> Mackenzie, 1925, p. 55.

<sup>4</sup> Mackenzie, 1925, p. 92.

<sup>5</sup> Wilson, 3, 1938, p. 27.

<sup>6</sup> Coxhead, 1914, p. 45.

<sup>10</sup> Wilson, 5, 1939, p. 55.

favourite. What they said about her being, perhaps, his favourite was just their way of putting it." 421  
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Before passing to the discussion of the disposal of surplus crops we must dwell a little on the importance of a fair division of land between the several wives of a polygynist. Not only garden plots but also the bananas growing on the homestead are divided between them. Each wife is allotted a number of banana stems and is responsible for keeping their roots clear of weeds and she is also expected to weed and sweep the adjacent portion of the open space (*ulubingilo*). In the sweeping her husband will often assist her, her fellow wife will not. The bunches which grow on her own banana stems are her property and not even her husband will cut them without consulting her, save in exceptional circumstances. In every polygynous household, then, a division of garden plots and bananas is made between the wives, and, as it is made by the husband, it is a most important element of their relationships with one another.

For every man with more than one wife has a favourite, and, if he allows his affection for her to express itself in an inequitable division of land, then there is trouble in store: "Each wife is the owner of a plot (*ulupaka*) and each harvests and weeds it and keeps the food separately. The wives help each other if friendly but each wife must have her own plot—a maize plot, a bean plot, a cassava plot, a plot of sweet-potatoes, and so on. The bananas also are divided between the wives.

"A polygynist when he hoes his gardens is always afraid to give to any one wife a bigger plot than to another. For it is thought that the wife who gets the smaller plot will whisper complaints of her husband among the people; and whispering complaints of a man brings witches to kill him. It is feared that in such a case, either the husband or else the favoured wife will be killed (by witchcraft). In consequence a man is always exceedingly careful, in dividing his garden into plots, to treat his wives fairly. But even so he will perhaps give to the wife whom he loves the plot with the best soil! And it happens sometimes that a polygynist's wife, when given a smaller plot than her co-wives, will sulk and refuse to plant: 'Why,' she asks, 'do you give me such a small garden plot? Did I not cook for you while you were hoeing?' And, if her husband then loses his temper and strikes her, she will make a case before the neighbours. And they will say to him: 'Friend, you should make a just division, you will only set your wives against one another by not doing so and make them kill one another.' By this they mean that if one wife is angered she will bring the witches to kill her fellow wives!

"And if a woman is restless with her husband and is herself considering leaving him then she will be forever going and complaining to her

586 mothers<sup>1</sup> in secret that she is in trouble and that her husband has no regard for her, that he grudges her garden plots and gives her only small ones. Then maybe her mothers will take the initiative in suggesting that she should leave this man who is no husband and who loves her not. And they will tell their husband, her father, that his child is in trouble and—only think of it!—has scarcely a ridge<sup>2</sup> to call her own. So that if the girl does then find life with her husband intolerable and leaves him, her father will not be too hard on his daughter, he will not compel her to go back to him; for he knows that she was in trouble.”

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754] This statement, written by an educated Nyakyusa, brings out very clearly both the fact that men do at times divide their land unfairly and the nature of some of the sanctions which operate against such injustice. The faith in witchcraft provides a moral sanction of which, if the man is fool enough to disregard it, he is very likely explicitly reminded in the course of the subsequent legal proceedings; the injured wife has an immediate hold over him in virtue of the relationship of practical co-operation and emotional intimacy in which they stand to each other, a hold which, if he attempts to break it by recourse to violence, is strengthened and given a legal form by the support of their neighbours. The support of her kin is an alternative legal force<sup>3</sup> which an injured wife

[241] <sup>1</sup> i.e. her father's wives.

<sup>2</sup> For many crops the ground is hoed into ridges.

<sup>3</sup> Some readers may be puzzled by and somewhat critical of the meaning with which the concept of law is employed in this paper. This is not the place to meet their criticisms, but, in order to avoid misunderstanding, it is necessary to define that meaning precisely. Law, then, is here distinguished alike from morality with its religious sanctions, from convention with its constraining sense of shame and from the reciprocity dictated by self-interest—with all of which it is in fact inextricably intertwined. Law is here taken to be that normal or customary form of action in society which is kept in being by the inherent necessities of systematic cooperation among its members. The particular form of law varies in different areas of society in accordance with the particular conditions of each area; but some normal form of action there must be everywhere if social life is to continue; anarchy is, in the strictest sense of the word, impracticable. A breach of law is a course of action, on the part of some individual or minority group, which is inconsistent with the normal and accepted form of cooperative action, and which would therefore, if unchecked, make continued relationship between the lawbreakers and the other members of their society wholly impossible; it threatens to dissolve society into anarchy. But breaches of law are always in fact checked, as they must be, by the actions of those with whom the lawbreakers are in practice related; and it is these actions which are the sanctions of law.

If law is to be preserved it is necessary that the actions which sanction it should have an irresistible force, the lawbreaker must normally be helpless before them; and they are only thus irresistible if the great majority of those people with whom the lawbreaker is effectively related do in fact either participate in or at least approve of them. Now in civilized areas of society, in which vast numbers of people are related, legal sanctions must be applied by a central authority if they are to be effective, for only such a central

but his wife refused to go and fetch her on the ground that he was a bad husband. 595

The children of one man and two close kinswomen have almost the relationship of full-siblings, but not quite, and I propose to call their relationship that of *linked half-siblings* (*vide infra*). 593

In a polygynous family the first wife married, the chief wife (*onyasi-holo*), is in a privileged position; she is entitled to the respect and obedience of her co-wives and her eldest son is her husband's ultimate heir. A man cannot lightly divorce his first wife during his own father's lifetime, for while the other wives he obtains by his own efforts, with his own cattle, she is married with cattle given him by his father, who must be consulted before she is divorced and who is offended if she is sent away without good cause. 595

Besides the chief wife there is, in most polygynous households a favourite wife (*onykondwe*), who in fact has greater privileges. Ideally a man is supposed to be fair to all his wives and to distribute milk, land and sexual attentions equally between them, with perhaps a slight bias in favour of his chief wife. But usually one wife is her husband's favourite and is given by him an undue share of the household's milk supply, and sometimes he hoes more land for her than for the others, as well. 586

Divorce is legally effected by the return of the marriage-cattle. No pagan woman in this society ever desires to live single, and so when a wife leaves her husband it is always with the intention of marrying some other man. Usually she has a particular man in mind who has been making love to her and who has cows enough to redeem her, but not always. A woman may, as we have described already, run off with a lover and then, as soon as he has returned the marriage-cattle and the adultery fine to her former husband, she becomes his legal wife, and her children by him are legitimate. If she has no lover to run off with, or if her lover wishes to avoid the adultery fine, the woman goes to Court\* (before 1926 she went to her own chief) and publicly refuses to live with her husband. She may or may not give a reason for leaving him, but if she persistently refuses to go back to him there is now no way of compelling her to do so. The judges say to her: "Well you must find the cattle," and so she stays, either with her father or in the charge of a court official, until some man comes to marry her. Then the cows are returned to her first husband and the divorce is effected. In pre-European times, I am told, such a woman was frequently compelled to return to her husband by 586

\*Vide infra. The Chiefdom.  
[Cat. 116, pp 273 ff. - Analyst]

● 586 her own father and the chief. A man has the right to divorce his wife, that is to send her away and demand back his cows, if she is dirty or lazy in housework or if she commits adultery, but men do not often demand a divorce for adultery unless it is persistent. If a man sends his wife away for some such reason she returns to her father and he, if he has cows available, sends back to her husband his marriage-cattle, if he has not got the cows the husband must wait until the girl is remarried.

593 Into the relationship of mother and daughter economic co-operation  
857 and reciprocity enter. The care of young children is largely in the hands of their elder sisters, and the girls also help their own mothers in field-work and in fetching and carrying. In return their mothers cook for them, teach them how to cook themselves and how to make mats.

585 Each mother is responsible also for her own daughter's virginity.  
593 One of the bulls which a young man brings during the initiation of his betrothed wife is only given if the girl is found on examination to be still virgin, or if he has deflowered her himself. If it is given this bull belongs to the girl's mother to eat with her own friends. But, in spite of her  
[864] mother's responsibility for her, a girl learns nothing positive from her mother about sex, but from her own slightly older friends; with them she discusses the technique of love-making in detail, but never with her mother.

593 The relationships of siblings are, in general, closer than those of half-siblings, and the eldest son in each individual family is privileged above his brothers. A boy's claim for cattle is, as we have seen, partly based on the time and energy he has put into hoeing his parents' fields; but it also depends, in part, on having full-sisters of his own. When a girl marries the cows come to her father, but her own full-brothers expect to receive these cows, in time, for their own marriages, in the order of their age. Though the father controls the cattle the brothers speak of them as "our cows" and they have an ultimate legal claim to them, which only gross laziness or insult to their father can altogether vitiate. The eldest of a group of full-brothers is the first to draw on these cows and to marry, his juniors wait longer. Full-brothers are bound together in many ways; the eldest, who is privileged, is bound to help his juniors in any way he can, and they in turn respect him and in time give to him some cows from the marriages of their own daughters;  
593 and each makes the others' quarrels his own. What chiefly unites them  
428 is the law of inheritance, for though the eldest has first right to the cattle from their sisters' marriages, and though the younger ones, later in life, give cattle from their daughters' marriages to him, yet they are his heirs, and all his privileges in time pass to them. When the eldest dies his next

## TWENTY YEARS' CHANGE

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was not an individual one. True, a girl gave her formal consent in the marriage ritual, but the pressure on her to accept the husband selected for her by her kinsmen was almost irresistible. In the thirties Christian women who refused their husband's heir and lived alone, or married an unrelated man of their choice, were regarded by their pagan sisters as very daring, and little girls in pagan families took it as a matter of course that they should replace their dead sisters; today the right of a widow to choose whom she will marry is generally accepted, and the custom of replacing a dead woman by her sister has lapsed. 'Every girl wants her own husband nowadays', the old women say. Thus lineage obligations give way to individual freedom of choice in marriage. At the same time the rituals which emphasized the lineage are dropped or modified. The fearful fecundity of a double birth no longer appals men and the twin ritual which used to bring together all the living members of a lineage of three generations is not celebrated at all. At a puberty ritual a pagan girl may be given the *ikipiki* medicine, the symbol of 'the blood of the lineage' by her mother, but there is no seclusion and elaborate feasting, no sacrifice of the bull of puberty that her father's shades may 'move aside a little' to make way for the shades of her husband's lineage. Only at a funeral do kinsmen still gather and celebrate, for many still fear the shades, and at a funeral the heir is installed and the importance of property and the inheritance of it has not diminished one whit. As we have seen, the traditional religion was formulated in terms of kinship; the gods were senior kinsmen; but today God, *Kyala*, is no ancestor; to pagans as well as to Christians he is separate and supreme. Men are still classified by their lineages, and one of the topics of village questions is how Prince Charles can be heir to the British throne when his father is not of the house of Windsor; but already in the economic field, and increasingly in the religious, it is the family of parents and children which is now dominant, not the lineage.

Divorce is far more frequent than formerly, partly because women claim a greater freedom of behaviour than before, as well as the right of choosing their own husbands, and are supported by the courts. As one village headman put it, 'Formerly a father beat his daughter with a stick if she ran home and sent her back to her husband who also beat her.' The women reject the old pattern of subservience which was expressed in crouching to greet a man, and addressing him in a very deferential fashion; the men observe, and

177 some copy, the manners of Europeans towards their wives, but  
 ● [586] neither husband nor wife is quite sure what the change in manners  
 implies, and both are often inconsistent in their behaviour. As  
 an educated Nyakyusa put it: 'They do not know what to expect  
 from each other.'

[585] Marriage relationships are complicated by the disproportion  
 [162] in the numbers of men and women; a disproportion which  
 continues while the rule of monogamy is preached and accepted  
 by many. The first effect of the increase in wealth in Rungwe  
 [582] district was for the marriage age of women to go down; in Mr.  
 Punch's phrase 'too many cattle were chasing too few wives';  
 but the combined pressure of missions and Administration, and  
 some acquaintance with the customs of the outside world, has  
 reversed that tendency, and the marriage of girls below puberty,  
 which was general among pagans in 1938, now appears to be  
 exceptional. Many girls are still betrothed before puberty, but

[584] they do not go to their husbands until after that time, and to be  
 still single at puberty with no betrothed to play his part in the  
 ritual is no longer embarrassing to a girl, for the puberty ritual is  
 not celebrated in full. The ruling of the District Council that a  
 man may not recover more than *one* cow given for a girl who has  
 not reached puberty, if the marriage is dissolved, discourages  
 men from giving cattle for girls who have not grown up. At the  
 [582] same time the marriage age of men is going down. Marriage in the  
 early twenties or even the late teens is common now, for young  
 men who have been to work on the mines can buy marriage cattle  
 for themselves, and Christians who are well-to-do provide for the  
 marriages of young sons instead of taking additional wives.  
 Therefore the gap in the marriage age of men and women is very  
 considerably diminished, but it still exists, and combined with the  
 disproportion in the total number of males and females it means  
 that a considerable proportion of the women (perhaps 30 per cent)<sup>1</sup>  
 must become the junior wives of polygynists or remain unmarried  
 altogether, or live alone as widows.

595 Among pagans polygyny is approved, but young men are  
 irked by their responsibility for elderly widows, a responsibility  
 that was formerly accepted as a matter of course. Able-bodied  
 wives are still economically an asset even now that trade goods are  
 in general use. For Nyakyusa men—pagans—have insisted that as

<sup>1</sup> The masculinity rate is calculated at 87.9 : 100 (*vide supra*) and the average difference in the marriage age may well be six years.

182 Churches in the area. Nevertheless the bulk of professing Christians  
 595 are monogamists, though it is still customary and, in Rungwe  
 797 District, economically profitable, for a rich man who is not a  
 Christian to have more than one wife. The difficulties of establishing monogamy are accentuated by the great disproportion in the numbers of men and women. If the figures available are accurate, a general acceptance of monogamy would mean that only about 70 per cent of the women could be married; therefore the Church is necessarily concerned in seeking an adjustment in the proportion of the population—in keeping the men alive if our assumption that the shortage of men is due to a heavy male death rate is true.

182 The yeast of the gospel permeates still further. It is taken to  
 797 imply the freedom of an individual to accept or reject a partner in  
 584 marriage. This has been maintained from the first in the Nyakyusa Church, and is enforced by the courts, which apply a conception of personal rights springing from the Christian tradition.

182 Most Nyakyusa men attribute the rapid rise in the divorce rate  
 586 to this new 'freedom' of women. Christian teaching stresses the family and the sanctity of marriage, but it ignores the lineage. In the traditional rituals of kinship the lineage is represented again and again, while in Christian ritual it is the elementary family and the Church that are pictured. The preoccupation with fertility and the reproductive cycle was linked with the glorification of the lineage itself, and it disappears when the lineage ceases to be the basis of social grouping.

182 How closely linked are symbols to other aspects of a society?  
 181 Our hypothesis is that they are relatively free, but it can be shown  
 176 that many of the symbols used in the traditional rituals of the Nyakyusa reflect the economy, and vary somewhat from one area to another, with the staple crops. The development of trade or of new crops is a prerequisite for using the symbols of bread and wine traditional in the Christian rituals, and even the 'independent' African Churches use new foods, not the beer and bananas of the country; thus change in material symbols and change in economy may be directly connected. The imagery changes also with the changing social structure; Kyala ceases to be pictured as a senior kinsman, when the lineage organization begins to weaken; he is God the father of a family rather than an early member of the royal lineage. But there is no evidence that